APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,045	01/08/2002	Scott J. Broussard	AUS920010965US1	4455

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EXAMINER
LEFLORE, LAUREL E

ART UNIT	PAPER NUMBER
2673	

DATE MAILED: 12/18/2003   3

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/042,045	BROUSSARD, SCOTT J.
	Examiner	Art Unit
	Laurel E LeFlore	2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-20_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _08 January 2002_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All b)☐ Some * c)☐ None of:
   1.☐ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.
13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
   since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
   37 CFR 1.78.
   a) ☐ The translation of the foreign language provisional application has been received.
14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
   reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

1. New corrected drawings are required in this application because the drawings

are informal and contain hand-written elements. Applicant is advised to employ

the services of a competent patent draftsperson outside the Office, as the U.S.

Patent and Trademark Office no longer prepares new drawings. The corrected

drawings are required upon allowance of the application. The requirement for

corrected drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

On page 13, line 12, 10 ft is not equal to 1000 inches. On lines 17 and

18, Sf is calculated incorrectly. On line 20, "4A" should be "4".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-4, 6-10, 12-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kikuchi et al. 5,815,160 in view of Nasserbakht et al.

6,072,443.

In regard to claim 1, Kikuchi et al. discloses a method for enabling a creation of presentation data for later projection, the method comprising: determining a recommended size for the created presentation data displayed on a display screen of a computer executing a presentation authoring tool. See column 2, lines 42-51, disclosing, "a primary object of [Kikuchi et al.'s] invention is to provide an effective presentation system for presenting, simultaneously on a screen, various kinds of media data…, which can reproduce image data on a display device of any resolution…, correcting positions and sizes of image data to be displayed with a similar geometrical relationship to the screen size of the display device employed for editing the scenario data."

Kikuchi et al. does not disclose that determining the recommended size comprises: i) receiving input of an expected viewing distance for the later projection of the presentation data; and ii) determining the recommended size based upon the expected viewing distance of the later projection having a projected data size viewable by a person, having a certain vision capability, at the expected viewing distance.

Nasserbakht et al. discloses a method for enabling a creation of presentation data for projection in which an expected viewing distance for the projection is inputted. See column 4, lines 57-65, disclosing, "The location and distance sensor 46 is shown in greater detail in connection with FIG. 6. A CCD (charge coupled device) 42 or similar device receives an image of the area generally in front of the ocular projection display 12 through lens assembly 45.

The output of CCD 42 is input to image recognition circuitry 48. Distance measurement device 50 generates a beam which is reflected off an object in front of ocular projection display 12, and receives the reflected beam to determine distance to such object. " Also see column 5, lines 30-33, disclosing, "The distance measurement should be directed toward the area proximate the user's eyes." Thus, the viewing distance for the projection is inputted.

Nasserbakht et al. further discloses that the projected data size is viewable by a person, having a certain vision capability, at the expected viewing distance. See column 6, lines 35-37, disclosing "focus detection circuitry determines a user's vision capabilities whenever a new user is detected." See also column 6, lines 24-28, disclosing that the focus detection circuitry transmits data to "optics control 40 [see figure 8], which can adjust focus to compensate for the user's nearsightedness or far-sightedness."

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kikuchi et al. by determining presentation data size based on viewing distance for the projection and vision capability of a person at the expected viewing distance. One would have been motivated to make such a change based on the teaching of Nasserbakht et al. to use a user's vision capabilities and viewing distance in order to adjust a projection and to "modify the image from image source 20 (see figure 5) responsive to the location of the user relative to the ocular projection display 12" and also to compensate for a user's near- or far-sightedness during projection.

5. In regard to claim 2, Kikuchi et al. discloses that the presentation data comprises at least one of text data and image data. See column 2, lines 44-46, disclosing, "various kinds of media data such as video pictures, still pictures, audo data, text data, graphic data or the like," which could be used as the data for presentation.

6. In regard to claim 3, Kikuchi et al. discloses that the size is a font size. See column 3, lines 6-13, disclosing "a font preparing section controlled by the scenario performing section for correcting character sizes and character thicknesses to be displayed on the display device for presentation."

7. In regard to claim 4, Kikuchi et al. in view of Nasserbakht et al. discloses that the expected viewing distance is at least one of a maximum viewing distance and a room depth of a room in which the later projection takes place. In particular, the expected viewing distance is a maximum viewing distance. See rejection of claim 1, disclosing that the expected viewing distance is that at which the user's eyes are positioned. This is a maximum viewing distance.

8. In regard to claim 6, Kikuchi et al. discloses receiving further input of at least one of a size in height of the later projection, a height of the display screen, a number of picture elements per inch of the display screen, a display type, and the certain vision capability. In particular Kikuchi et al. discloses in column 5, lines 25-29, receiving input of "parameters representing editing environment such as resolution of display devices used in editing, position, sizes, and other additional information with which applications or the media data 1 are to be displayed." Also see figures 2 ad 3, depicting tables of input parameters.

Kikuchi et al. in view of Nasserbakht et al. further discloses receiving input of the certain vision capability. See rejection of claim 1.

9. In regard to claim 7, Kikuchi et al. in view of Nasserbakht et al. discloses a method for displaying presentation data on a display screen of a computer executing a presentation authoring tool having means for enabling a creation of the presentation data, having a current font size, for later projection. The method comprises: receiving input for an expected viewing distance of the later projectiont; and redisplaying the presentation data using a second font size on the display screen that is representative of an anticipated appearance of the later projection, having a projected font size based upon the current font size, of the presentation data by a person, having a certain vision capability, at the expected viewing distance. See rejections of claims 1 and 3 for similarities.

Kikuchi further discloses that a given projection screen height is used to determine a projected font size. See figures 2 and 3 depicting tables of display parameter values, including display size. Also see column 7, lines 19-22, referring to figure 6, disclosing, "a screen is prepared in S28 in accordance with the display position, size and form for the application for presenting an initial scene of he application in S29." It is understood that size of a display would include the display's height.

10. In regard to claim 8, see rejection of claim 7. Kikuchi et al. discloses that redisplaying further comprises determining a new display screen height and adjusting the second font size of the presentation data for the new display screen

height. See column 2, lines 46-51, disclosing that the invention "can reproduce

image data on a display device of any resolution in synchronous with changes in

time...with a similar geometrical relationship to the screen size of the display

device employed for editing the scenario data." Again see figures 2 and 3

depicting a size parameter (which would include height) for the various displaying

devices. Also see rejection of claim 3, in which Kikuchi et al. discloses that the

invention adjusts font size. Thus, any new display screen height can be

accommodated using Kikuchi et al.'s invention to adjust font size. Also a second

font size (after having been adjusted once) would be adjusted again depending

on changes in time and with a new display screen size.

11. In regard to claim 9, see rejection of claim 1. Kikuchi et al. further discloses a

computer program on a computer usable medium. See figure 1, depicting a

CPU, ROM, RAM, a display unit and an instruction inputting section. These

components constitute a computer and a program is implicit. It is understood

that a functioning computer program system would include program code means.

12. In regard to claim 10, see rejection of claim 2.

13. In regard to claim 12, see rejection of claim 7. Kikuchi et al. further discloses a

computer program on a computer usable medium. See figure 1, depicting a

CPU, ROM, RAM, a display unit and an instruction inputting section. These

components constitute a computer and a program is implicit. It is understood

that a functioning computer program system would include program code means.

14. In regard to claim 13, see rejections of claims 8 and 12.

15. In regard to claim 14, see rejection of claim 1. Also see figure 1, depicting a CPU, ROM, RAM, a display unit and an instruction inputting section. These components constitute a computer and memory.

16. In regard to claim 15, see rejection of claim 2.

17. In regard to claim 16, see rejection of claim 4.

18. In regard to claim 18, see rejection of claim 6.

19. In regard to claim 19, see rejection of claim 7. Also see figure 1, depicting a CPU, ROM, RAM, a display unit and an instruction inputting section. These components constitute a computer and memory.

20. In regard to claim 20, see rejection of claim 8.

21. Claims 5, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi et al. 5,815,160 in view of Nasserbakht et al. 6,072,443 as applied to claims 1, 9 and 14 above, and further in view of MedicineNet.com article "Acuity test, visual".

   In regard to claims 5, 11 and 17, Kikuchi et al. in view of Nasserbakht et al. discloses an invention that is similar to that which is disclosed in claims 5, 11 and 17. See rejection of claims 1, 9 and 14 for similarities. Kikushi et al. in view of Nasserbakht et al. discloses that "focus detection circuitry determines a user's vision capabilities" for determining a recommended size (See rejection of claim 1.). Kikushi et al. in view of Nasserbakht does not disclose that determining a recommended size is based upon a font height for characters on a line of a vision chart corresponding to the certain vision capability.

MedicineNet.com article "Acuity test, visual" discloses a standard "measure of how well a person sees" using Snellen's chart, "imprinted with block letters that line-by-line decrease in size, corresponding to the distance at which that line of letters is normally visible."

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kikuchi et al. in view of Nasserbakht et al. by determining the recommended size based on a font height of characters on a line of a vision chart. One would have been motivated to make such a change based on the teaching of the article "Acuity test, visual" to use such a chart with varying font heights to determine a person's vision capability. Also, Nasserbakht et al. teaches to "adjust focus to compensate for the user's nearsightedness or far-sightedness", and vision charts are standard and conventional in determining degree of near-sightedness or far-sightedness.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nguyen 5,721,565 discloses a projection display system that adjusts the size of data for projection.

Stern et al. 6,592,223 B1 discloses a display system that test a user's eyesight.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurel E LeFlore whose telephone number is (703) 305-8627. The examiner can normally be reached on Monday-Friday 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (703) 305-3885. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LEL

JOSEPH MANCUSO
PRIMARY EXAMINER